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PATENT

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D C 20231.

Nancy E. Yorke
Name

Nancy E. Yorke
Signature

April 18, 2002
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Daggett, et al.

Serial No.: 10/038,937 - Case No.: SD9383DDA

Filed: January 4, 2002

For: HUMAN N-METHYL-D-ASPARTATE RECEPTOR
SUBUNITS, NUCLEIC ACIDS ENCODING SAME
AND USES THEREFOR

Art Unit:
1646

Examiner: Unknown
Examiner (Parent):
J. Ulm

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Sir:

This is in response to the outstanding Notice to File Corrected Application Papers dated February 21, 2002, in the above identified application, having a TWO (2) month period for response which expires April 21, 2002. Applicants respectfully request that the Examiner consider the following remarks.

REMARKS

Sequence Listing

The receipt of the Notice to Comply is hereby acknowledged.

In response thereto, Applicants respectfully submit that the paper copy of the Sequence Listing in this application, Serial No. 10/038,937 is identical to that filed in Serial No. 09/935,105, filed September 29, 1997, which, in turn is a Divisional of 08/231,193, filed April 20, 1994 and as such it is identical to the computer readable copy of the Sequence Listing filed in application Serial No. 09/935,105 and 08/231,193, now U.S. Patent No.

5,849,895. A CRF and a paper copy of the sequence listing in 09/935,105 was filed on or about August 11, 1998.

In accordance with 37 CFR 1.821(e), Applicants respectfully request that the computer readable form (CRF) filed in application Serial No. 09/935,105 be used as the computer readable form (CRF) for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. A paper copy of the Sequence Listing, which was included in the originally filed specification of the instant application, is appended hereto.

The undersigned, who is the attorney in charge of this case, hereby states that, to the best of his knowledge, the information on this attached paper copy is identical to the sequence in the subject application, as well as on the CRF submitted to the United States Patent and Trademark Office on or about August 11, 1998. To the best of the undersigned's knowledge, no new matter is presented.

Substitute Specification

This is in response to the Notice To File Corrected Application Papers dated February 21, 2002. Enclosed please find a substitute specification in compliance with 37 CFR 1.52 that contains the proper margins (Exhibit A).

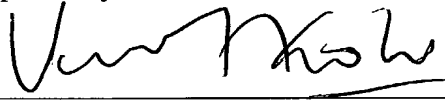
In addition, enclosed please find a second substitute specification incorporating all changes made in the Preliminary Amendment filed on January 4, 2002, and the Second Preliminary Amendment, filed concurrently herewith (Exhibit B).

A paper copy of the amended Sequence Listing as filed in 09/935,105 is also attached hereto (Exhibit C).

If the Examiner believes that a telephone conference would be of value, he is requested to call the undersigned counsel at the number listed below.

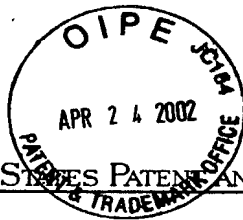
Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

By 

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Date: 4/18/02



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/038,937	01/04/2002	Lorrie P. Daggett	SD9383DDA

CONFIRMATION NO. 1598

FORMALITIES LETTER



OC00000007505050

Merck & Co., Inc.
Patent Department
P.O. Box 2000 - RY60-30
Rahway, NJ 07065-0907

Date Mailed: 02/21/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE